

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Food Lion, LLC, et al. Plaintiff,

- against -

Cadbury Adams Canada, Defendant.  
Inc., et al.

08 cv 3045 (UA)PKC

**MOTION TO ADMIT COUNSEL**

**PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the  
Southern and Eastern Districts of New York, I, Torsten M. Kracht a member in good standing of  
the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Richard L. Wyatt, Jr.

Firm Name: Akin Gump Strauss Hauer & Feld, LLP

Address: 1333 New Hampshire Ave., N.W.

City/State/Zip: Washington, D.C. 20036

Phone Number: (202) 887-4048

Fax Number: (202) 887-4288

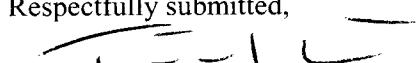
Richard L. Wyatt, Jr. is a member in good standing of the Bar of the States of  
District of Columbia and Georgia

There are no pending disciplinary proceeding against Richard L. Wyatt, Jr.  
in any State or Federal court.

Dated: 3/25/2008

City, State: Washington, D.C.

Respectfully submitted,

  
Sponsor's Torsten M. Kracht  
SDNY Bar TK 4134  
Firm Name: Akin Gump Strauss Hauer & Feld, LLP  
Address: 1333 New Hampshire Ave., N.W.  
City/State/Zip: Washington, D.C. 20036  
Phone Number: 202.887.4252  
Fax Number: 202.887.4288

2008 MAR 25 PM 4:56  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
FILED COURT

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**FOOD LION, LLC, HANNAFORD BROS. CO.,  
and KASH N' KARRY FOOD STORES, INC.,**

**Individually and on behalf of a class of all  
those similarly situated,**

**Plaintiffs,**

**v.**

**CADBURY ADAMS CANADA, INC.,  
CADBURY SCHWEPPES PLC, CADBURY  
ADAMS USA LLC, HERSHEY CANADA  
INC., THE HERSHEY COMPANY, MARS  
CANADA INC., MARS, INC., MARS NORTH  
AMERICA, MARS SNACKFOOD U.S.,  
NESTLÉ CANADA INC., NESTLÉ S.A.,  
and NESTLÉ USA,**

**Defendants.**

**Case No.** \_\_\_\_\_

**DECLARATION OF  
TORSTEN M. KRACHT  
IN SUPPORT OF  
MOTION TO ADMIT COUNSEL**

I, Torsten M. Kracht, declare:

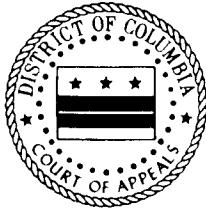
1. I am Counsel at Akin Gump Strauss Hauer & Feld, LLP, counsel for Plaintiff in the above captioned action. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Richard L. Wyatt, Jr. as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in the State of New York on September 24, 1998. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known and worked with Mr. Wyatt since 2006.
4. Mr. Wyatt is a Partner at Akin Gump Strauss Hauer & Feld, LLP, in Washington, D.C.
5. I have found Mr. Wyatt to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Richard L. Wyatt, Jr., pro hac vice.

7. I respectfully submit a proposed order granting the admission of Richard L. Wyatt, Jr. pro hac vice, which is attached hereto as Exhibit A.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed: March 25, 2008  
Washington, D.C.

  
\_\_\_\_\_  
Torsten M. Kracht (TK4134)



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia  
Court of Appeals, do hereby certify that

RICHARD L. WYATT, JR.

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was on the 6<sup>th</sup> day of AUGUST, 1990

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duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on March  
12, 2008.

GARLAND PINKSTON, JR., CLERK

By: N. Chai  
Deputy Clerk



# STATE BAR OF GEORGIA

Lawyers Serving the Public and the Justice System

Mr. Richard L. Wyatt Jr.  
Akin Gump Strauss Hauer & Feld LLP  
1333 N. Hampshire Avenue, N.W., Suite 400  
Washington, DC 20036

**CURRENT STATUS:** Inactive Member-Good Standing

**DATE OF ADMISSION TO PRACTICE:** 06/15/1979

**Attorney Bar Number:** 779250

Today's Date: March 10, 2008

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by State Bar Rule 1-204. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

## STATE BAR OF GEORGIA

Official Representative of the State Bar of Georgia

### HEADQUARTERS

104 Marietta Street, Suite 100  
Atlanta, Georgia 30303  
(404) 527-8700 ■ (800) 334-6865  
FAX (404) 527-8717  
[www.gabar.org](http://www.gabar.org)

### SOUTH GEORGIA

244 E. Second Street (Zip 31794)  
P.O. Box 1390  
Tifton, Georgia 31793-1390  
(229) 387-0446 ■ (800) 330-0446  
FAX (229) 382-7435

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

Food Lion, LLC, et al. Plaintiff,

cv ( )

- against -

Cadbury Adams Canada, Inc., et al. Defendant.

**ORDER FOR ADMISSION  
 PRO HAC VICE  
 ON WRITTEN MOTION**

Upon the motion of Torsten M. Kracht attorney for Food Lion, LLC, et al.  
 and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Richard L. Wyatt, Jr.

Firm Name: Akin Gump Strauss Hauer & Feld, LLP

Address: 1333 New Hampshire Ave., N.W.

City/State/Zip: Washington

Telephone/Fax: (202) 887-4048

Email Address: rwyatt@akingump.com

is admitted to practice pro hac vice as counsel for Food Lion, LLC, et al. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:  
 City, State:

United States District/Magistrate Judge

## **AFFIDAVIT OF SERVICE**

I Jorge Guzman, being duly sworn deposes and says that I am not a party to this action. I am over 18 years of age and reside in the city of Elizabeth, New Jersey.

That on the 25<sup>th</sup> day of March, 2008, a copy of the foregoing Motion for Admission Pro Hac Vice for Richard L. Wyatt, Jr. was included with the Summons to be served with the Class Action Complaint and Rule 7.1 Statement, which were filed on the same day in this Court.

Sworn to before me this  
25<sup>th</sup> day of March 2008



Jorge Guzman

Jorge Guzman

  
Lucy M. Verner  
Notary Public

KELLY OWEN  
Notary Public, State of New York  
Commission Expires June 14, 2011